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WALMART INC.

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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

JOYCE HERNANDEZ, an individual,

Plaintiff,

v.

WALMART, INC., a Delaware  
corporation; and DOES 1-50, inclusive,

Defendants.

Case No. 1:23-cv-01355-KES-SKO

**STIPULATION AND ORDER  
REGARDING MODIFICATION OF  
DISCOVERY DEADLINES**

(Doc. 30)

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10 JOYCE HERNANDEZ

**TO THE COURT:**

COMES NOW Plaintiff Joyce Hernandez and Defendant Walmart Inc., (collectively the “Parties”), by and through their counsel of record, and stipulate as follows:

WHEREAS, on January 28, 2025, the Court granted the Parties’ second request for a modification of the case schedule and issued an Order resetting the discovery deadlines due to Defendant having just retained new counsel (Doc. 28);

WHEREAS, since January 28 2025, the Parties have been working diligently and cooperatively to complete necessary fact discovery;

WHEREAS, Plaintiff took the deposition of Johnny Maltos on February 13, 2025, Carlos Ayala on March 12, 2025, Alexander Rivera on March 12, 2025, and Joshley Soria on March 26, 2025;

WHEREAS, on March 14, 2025, based on the deposition testimony of Ayala, and Rivera, Plaintiff requested dates for deposing Defendant’s employee Arthur Herrera;

WHEREAS, Mr. Herrera is not available for his deposition before the current fact discovery cut off of March 28, 2025 because he is currently out of the office through April 1, 2025;

WHEREAS, the parties are in the process of scheduling Mr. Herrera’s deposition for sometime in the first three weeks of April 2025;

WHEREAS, on March 26, 2025, the parties also agreed to attend mediation with mediator Hon. Michael Latin (Ret.), which is scheduled for May 30, 2025;

WHEREAS, the Parties require additional time to complete fact discovery; and

WHEREAS, the Parties are in agreement that it would make the most economic sense to attend mediation before engaging in costly expert discovery.

NOW, THEREFORE, to allow for the completion of fact discovery and to allow for the completion of expert discovery after mediation, the Parties stipulate to, and respectfully request, a modification of the fact and expert discovery deadlines only, without modification of any other deadlines, as follows:

1. An extension of the current fact discovery deadline of March 28, 2025 to April 25, 2025;
2. An extension of the current expert disclosure deadline of April 7, 2025 to June 20, 2025; and
3. An extension of the current rebuttal expert disclosure deadline of April 21, 2025 to July 11, 2025.
4. An extension of the current expert discovery deadline of May 2, 2025 to July 25, 2025.

**IT IS SO STIPULATED.**

Dated: March 27, 2025

**OGLETREE, DEAKINS, NASH,  
SMOAK & STEWART, LLP**

By: /s/ Brittney L. Turner

James T. Conley  
Brittney Turner  
Eireann E. Brooks  
*Attorney for Defendant*  
WALMART, INC.

Dated: March 27, 2025

**BROCK & GONZALES, LLP**

By: /s/ Douglas B. Hayes

Douglas B. Hayes  
Kendall Weaver  
*Attorneys for Plaintiff*  
JOYCE HERNANDEZ

**ORDER**

Having considered the parties' joint stipulation to amend the scheduling order, (Doc. 30), and for good cause shown, it is hereby **ORDERED** that the following dates set forth in the September 30, 2024, and January 28, 2025, Scheduling Orders, (Docs. 24, 28), are **VACATED** and **CONTINUED** according to the revised schedule below<sup>1</sup>:

Event	Current Dates	Proposed Dates
Close of Fact Discovery	March 28, 2025	April 25, 2025
Initial Expert Report	April 7, 2025	June 20, 2025
Rebuttal Expert Report	April 21, 2025	July 11, 2025
Expert Discovery Close	May 2, 2025	July 25, 2025
Non-Dispositive Motion Filing Deadline	May 12, 2025	August 13, 2025
Non-Dispositive Motions Hearing Date	June 16, 2025	September 17, 2025
Dispositive Motion Filing Deadline	May 19, 2025	August 18, 2025
Dispositive Motion Hearing Date	June 12, 2025	September 22, 2025
Deadline to Provide Proposed Settlement Conference Dates	September 3, 2025	December 10, 2025
Pre-Trial Conference	October 6, 2025	January 12, 2026
Trial	December 2, 2025	March 10, 2026

IT IS SO ORDERED.

<sup>1</sup> Some of the parties' proposed dates were modified to comport with the Court calendar. In addition, although the parties did not request an enlargement of the pretrial and trial dates, such enlargement is necessary to allow the Court time to adjudicate motions and for the parties to prepare for trial.

Dated: **March 27, 2025**

*/s/ Sheila K. Oberto*  
UNITED STATES MAGISTRATE JUDGE